

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

PHILIP L. TROPEANO, PETER
TROPEANO and CAROLYN PATTON,

Plaintiffs,

v.

CHARLENE DORMAN, BIANCA DORMAN,
LYDIA DORMAN, TODD DORMAN,
T&N REALTY TRUST and CAPTAIN
PARKER ARMS PARTNERSHIP,

Defendants.

CIVIL ACTION
NO. 03CV12231 (RGS)

EMERGENCY MOTION TO STRIKE

Plaintiffs Philip Tropeano, Peter Tropeano, and Carolyn Patten (collectively, “Plaintiffs”) hereby request that this Honorable Court immediately strike and refuse to entertain: (1) Defendants Opposition to Plaintiffs’ Motion for Real Estate Attachment, (2) Affidavit of Charlene Dorman, (3) Affidavit of Leslie Crossley, (4) Affidavit of Michael Keane, (5) Affidavit of Nicholas Schmalz, and (6) Affidavit of Norton S. Remmer, all ninety-three (93) pages of which the defendants filed without warning at or around 4:30p.m. on Friday, December 8, 2006, seven days before the Court’s scheduled hearing of Plaintiffs’ Motion for Real Estate Attachment and seven months after Plaintiffs filed and served their motion. Clearly, the defendants should not be allowed to burden Plaintiffs or the Court with this blatant disregard for the Local Rules and all boundaries of professional courtesy.

In support of this motion, Plaintiffs submit the accompanying Memorandum of Law in Support of Motion to Strike.

Respectfully submitted,

PHILIP L. TROPEANO, PETER
TROPEANO and CAROLYN PATTON

By their attorney,

/s/ Thomas M. Ciampa

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Dated: December 12, 2006

Certificate of Service

I hereby certify that this document filed through the ECF system pursuant to Local Rule 5.4 will be sent electronically to all other parties.

____/s/ Thomas M. Ciampa____